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April 28, 2025

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Eastern District of New York
271-A Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Nicole Daedone and Rachel Cherwitz, 23-CR-146

Dear Counsel:

Pursuant to Rule 16(b) of the Federal Rules of Criminal Procedure, defendants Rachel Cherwitz and Nicole Daedone are providing discovery via a separate secure link. The defendants will continue to provide discovery on a rolling basis. In addition, attached as Exhibit A is a supplemental witness list to the defendants' February 27, 2025 tentative witness list (Dkt. No. 286) and April 20, 2025 supplemental witness list (Dkt. No. 330). The defendants reserve the right to amend these lists and to call any of the government's identified witnesses.

While the government has removed some witnesses from its witness list, it still has not narrowed down its vastly overbroad exhibit and witness lists despite defense counsel's multiple requests. As previously noted, the defense case-in-chief is highly dependent on which witnesses the government calls and which exhibits it introduces at trial. The defense has produced the vast majority of non-impeachment exhibits that it may introduce at trial in its Rule 16(b) productions, and it will identify specific exhibits once it determines that it will use such exhibits in its case-in-chief. The defense will continue to produce additional Rule 16(b) material on an ongoing basis.

Respectfully submitted,

/s/Celia Cohen/Michael Robotti
Counsel for Rachel Cherwitz
Ballard Spahr, LLC

/s/Jennifer Bonjean
Counsel for Nicole Daedone
Bonjean Law Group, PLLC

EXHIBIT A

Supplemental Defense Witness List

In addition to the witnesses set forth in the defendants' February 27, 2025 letter (Dkt. No. 286) and April 20, 2025 supplemental witness list (Dkt. No. 330), the defense may call the following witnesses:

